

IN THE UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF ILLINOIS (Eastern Division)

In re the matter of:

Roberta L. Allen
Debtor.

CASE NO. 21-11030
CHAPTER 13
JUDGE Donald R. Cassling

NOTICE OF MOTION AND CERTIFICATE OF SERVICE

TO:

Roberta L. Allen
1925 S. 8th Ave.
Maywood, IL 60153
Via Regular Mail

David M. Siegel
790 Chaddick Drive
Wheeling, IL 60090
Via Electronic Mail

Thomas H. Hooper
Chapter 13 Trustee
55 E. Monroe St. Ste. 3850
Chicago, IL 60603
Via Electronic Mail

Patrick S. Layng
Office of the U.S. Trustee, Region 11
219 S. Dearborn St., Room 873
Chicago, IL 60604
Via Electronic Mail

PLEASE TAKE NOTICE that on OCTOBER 21, 2021, AT 9:30 AM, I will appear before the Honorable DONALD R. CASSLING, or any judge sitting in that judge's place and present the motion of the movant herein for **MOTION FOR RELIEF FROM AUTOMATIC STAY** a copy of which is attached.

This motion will be presented and heard electronically using Zoom for Government. No personal appearance in court is necessary or permitted. To appear and be heard on the motion, you must do the following:

To appear by video, use the link: <https://www.zoomgov.com/>. Then enter the meeting ID and password.

To appear by telephone, call Zoom for Government at 1-669-254-5252 or 1-646-828-7666. Then enter the meeting ID and password.

Meeting ID and password. The meeting ID for this hearing is 161 414 7941 and the password is 619. The meeting ID and password can also be found on the judge's page on the court's website.

If you object to this motion and want it called on the presentment date above, you must file a NOTICE OF OBJECTION no later than two (2) business days before that date. If a Notice

of Objection is timely filed, the motion will be called on the presentment date. If no Notice of Objection is timely filed, the court may grant the motion in advance without a hearing.

FOURSIGHT CAPITAL LLC

By: /s/Amy A. Aronson
Amy A. Aronson
Attorneys for Foursight Capital LLC

Amy A. Aronson
ARONSON & WALSH, P.C.
P.O. Box 5907
Vernon Hills, IL 60061
847.247.1810 / Attorneys for Foursight Capital LLC

CERTIFICATE OF SERVICE

I, the undersigned attorney, certify that I served a copy of this Notice with Motion to Modify the Automatic Stay attached, upon the parties listed above, by mailing same in a properly addressed envelope, postage prepaid, from the Vernon Hills Post Office, Lakeview Parkway, Vernon Hills, Illinois 60061, before the hour of 5:00 p.m. on the 7th day of October 2021, or via electronic notice as indicated above.

By: /s/Amy A. Aronson
Attorneys for Foursight Capital LLC

Amy A. Aronson
ARONSON & WALSH, P.C.
P.O. Box 5907
Vernon Hills, IL 60061
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Attorneys for Foursight Capital LLC

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MOTION TO MODIFY AUTOMATIC STAY

Now Comes FOURSIGHT CAPITAL, LLC, a creditor herein, Amy A. Aronson, Aronson & Walsh, P.C., its attorneys, and moves this Honorable Court for entry of an Order modifying the restraining provisions of §362 of the Bankruptcy Code, and in support thereof respectfully represents as follows:

1. That on September 25, 2021, the Debtor herein filed a petition for relief under Chapter 13 of the Bankruptcy Code.

2. That FOURSIGHT CAPITAL, LLC is a creditor of the Debtor, Roberta L. Allen, with respect to a certain 2014 Mercedes-Benz ML; VIN 4JGDA5HB1EA342135, and holds a security interest pursuant to a certain Retail Installment Contract (the “Contract”) entered into by the Debtor on or about May 21, 2021. A copy of said agreement is attached hereto and incorporated herein as Exhibit “A”. A copy of the Certificate of Title is attached hereto and incorporated herein and marked Exhibit “B”.

3. Debtor has defaulted on her obligation to FOURSIGHT CAPITAL, LLC in that he has failed to make the payments required under the terms of the Agreement. Debtor owes FOURSIGHT CAPITAL, LLC the sum of \$35,877.79 plus accruing interest and attorneys' fees. The Debtor has defaulted in making the payments due and the current amount due is \$5,982.02, representing default for four (4) months. In addition, as a result of Debtor’s breach of the

Contract which resulted in the subject vehicle being impounded, Movant incurred fees in the amount of \$2,089.00

4. That the Debtor has not offered, and FOURSIGHT CAPITAL, LLC is not receiving, adequate protection for its secured interest.

5. That FOURSIGHT CAPITAL, LLC will suffer irreparable injury, harm and damage should it be delayed in foreclosing its security interest.

6. The property is not necessary for the effective reorganization of the Debtor.

7. That no cause exists to stay the execution of this order.

WHEREFORE, FOURSIGHT CAPITAL, LLC prays that this Honorable Court enter an Order modifying the restraining provisions of § 362 of the Bankruptcy Code to permit the said FOURSIGHT CAPITAL, LLC or its assigns to take possession and foreclose its security interest in the 2014 Mercedes-Benz ML; VIN 4JGDA5HB1EA342135; that Bankruptcy Rule 4001(a)(3) is waived and not applicable, and for such other and further relief as this court deems just and proper.

FOURSIGHT CAPITAL, LLC

By: /s/Amy A. Aronson
Amy A. Aronson
One of its Attorneys

Amy A. Aronson
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